

CITY COUNCIL MINUTES
NORMAN UTILITIES AUTHORITY MINUTES
NORMAN MUNICIPAL AUTHORITY MINUTES
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

February 23, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 23rd day of February, 2010, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by students from Eisenhower Elementary School.

* * * * *

Item 3, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM EISENHOWER ELEMENTARY SCHOOL.

Mayor Rosenthal and Councilmember Griffith presented Citizenship Awards to students, Jackson Balkman, Zane Blankenship, Jacob Conine, Malorie Dorney, Diamond Garver, Madison Hawley, Patrice Houston, Aimee Isaac, Racey Jarrett, Ian Kennedy, Patrick Kordeliski, Ally McKee, Annika Muir, Taylor Simpson, Cassidy Sullivan; and Cole Tyler. Ms. Kim Marley, Fifth Grade Teacher at Eisenhower Elementary School, said the students were selected as representatives of good citizens of Eisenhower Elementary School.

* * * * *

The Mayor requested and Council concurred that Item 17 be considered prior to the Consent Docket.

* * * * *

Item 17, being:

RESOLUTION NO. R-0910-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMENDING AND EXTENDING APPRECIATION TO THETA DEMPSEY FOR HER EFFORTS AND CONTRIBUTIONS TO PUBLIC TRANSPORTATION AND THE CLEVELAND AREA RAPID TRANSIT SYSTEM (CART) AND CONGRATULATING HER ON HER RETIREMENT.

Councilmember Dillingham moved that Resolution No. R-0910-93 be adopted, which motion was duly seconded by Councilmember Kovach;

- Items submitted for the record
- Resolution No. R-0910-93
- Participants in discussion
- Ms. Theta Dempsey, Director of the University of Oklahoma Parking and Transportation Services, accepted the resolution and thanked the Council

and the question being upon adopting Resolution No. R-0910-93, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-93 was adopted.

* * * * *

Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 18 excluding Item 17 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Atkins; and the question being upon the placement on the consent docket by unanimous vote of Item 5 through Item 18 excluding Item 17, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 5 through Item 18 excluding Item 17 were placed on the consent docket by unanimous vote.

* * * * *

Item 5, being:

- CITY COUNCIL FINANCE COMMITTEE MINUTES OF JANUARY 25, 2010
- PUBLIC WATER FORUM, SERIES 3, MINUTES OF FEBRUARY 4, 2010
- CITY COUNCIL CANDIDATE FORUM MINUTES OF FEBRUARY 8, 2010
- CITY COUNCIL CONFERENCE MINUTES OF FEBRUARY 9, 2010
- CITY COUNCIL MINUTES OF FEBRUARY 9, 2010
- NORMAN UTILITIES AUTHORITY MINUTES OF FEBRUARY 9, 2010
- NORMAN MUNICIPAL AUTHORITY MINUTES OF FEBRUARY 9, 2010
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF FEBRUARY 9, 2010
- PORTER CORRIDOR OPEN HOUSE MINUTES OF FEBRUARY 10, 2010

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

- Items submitted for the record
- 1. City Council Finance Committee minutes of January 25, 2010
 - 2. Public Water Forum, Series 3, minutes of February 4, 2010
 - 3. City Council Candidate Forum minutes of February 8, 2010
 - 4. City Council Conference minutes of February 9, 2010
 - 5. City Council minutes of February 9, 2010
 - 6. Norman Utilities Authority minutes of February 9, 2010
 - 7. Norman Municipal Authority minutes of February 9, 2010
 - 8. Norman Tax Increment Finance Authority minutes of February 9, 2010
 - 9. Porter Corridor Open House minutes of February 10, 2010

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

* * * * *

Item 6, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JANUARY, 2010, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Finance Director's Investment Report of January 31, 2010

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

* * * * *

Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JANUARY, 2010, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the reports be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Monthly Departmental Reports for the month of January, 2010

and the question being upon acknowledging receipt of the reports and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

* * * * *

Item 8, being:

CONSIDERATION OF RELEASE OF EASEMENT NO. E-0809-90 TO ALLTEL COMMUNICATIONS, L.L.C., TO ALLOW EGRESS AND INGRESS ACROSS CITY PROPERTY IN CONNECTION WITH THE CONSTRUCTION AND LEASE OF A MONOPOLE TOWER SITE AT THE STREET MAINTENANCE FACILITY LOCATED AT 668 EAST LINDSEY STREET AND GRANTING EASEMENT NO. E-0910-40.

Councilmember Kovach moved that Release of Easement No. E-0809-90 be approved and the execution and filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated February 8, 2010, from Jennifer Gray, Telecommunications Administrator, through Anthony Francisco, Finance Director, to the Honorable Mayor and Councilmembers
- 2. Easement No. E-0809-90 with Exhibit A, legal description, and Exhibit B, location map
- 3. Pertinent excerpts from City Council minutes of April 28, 2009
- 4. Release of Easement No. RE-0809-90 with Exhibit "A", Parent Tract Description, and Exhibit "B", Utility Easement to be Released
- 5. Location map

Item 8, continued:

and the being upon approving Release of Easement No. E-0809-90 and upon the subsequent directives, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Release of Easement No. E-0809-90 approved; and the execution and filing thereof were directed.

Thereupon, Councilmember Kovach moved that Easement No. E-0910-40 be granted to Alltel Communications, L.L.C., and the execution thereof be authorized, which motion was duly seconded by Councilmember Atkins;

- 1. Memorandum dated February 8, 2010, from Jennifer Gray, Telecommunications Administrator, through Anthony Francisco, Finance Director, to the Honorable Mayor and Councilmembers
- 2. Easement No. E-0910-40 with Exhibit C, location map, and Exhibit D, location map
- 3. Location map

and the question being upon granting Easement No. E-0910-40 Alltel Communications, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Easement No. E-0910-40 Alltel Communications, L.L.C., granted; and the execution thereof was authorized.

* * * * *

Item 9, being:

CONSIDERATION OF GRANTING EASEMENT NO. E-0910-48 TO OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE PHASE I WATER TREATMENT PLANT EXPANSION AND REHABILITATION PROJECT.

<u>EASEMENT NO.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>
E-0910-48	CITY OF NORMAN	PERMANENT PUBLIC UTILITY

Councilmember Kovach moved that Easement No. E-0910-48 be granted to Oklahoma Gas and Electric Company and the execution thereof be authorized, which motion was duly seconded by Councilmember Atkins;

- 1. Memorandum dated February 9, 2010, from Chris Mattingly, Utilities Superintendent, to Mayor and Council of City of Norman
- 2. Easement No. E-0910-48 with Exhibit “A”, legal description and location map

and the question being upon granting Easement No. E-0910-48 to Oklahoma Gas and Electric Company and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Easement No. E-0910-48 to Oklahoma Gas and Electric Company granted; and the execution thereof was authorized.

* * * * *

Item 10, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-0910-4 FOR ROCK CREEK VIEW AND ACCEPTANCE OF EASEMENT NO. E-0910-49.

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-0910-4 be approved, Easement No. E-0910-49 be accepted, and the filing of Norman Rural Certificate of Survey No. COS -0910-4 and Easement No. E-0910-49 with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated February 2, 2010, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Staff Report dated January 14, 2010, recommending approval
- 4. Letter of request dated November 6, 2009, from Roger Whited, PLS, No. 1298, Pollard and Whited Surveying, Inc., to Ken Danner, City of Norman
- 5. Norman Rural Certificate of Survey No. COS-0910-4
- 6. Easement No. E-0910-49
- 7. Pertinent excerpts from Planning Commission minutes of January 14, 2010

and the question being upon approving Norman Rural Certificate of Survey No. COS-0910-4 and upon the subsequent acceptance and directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Norman Rural Certificate of Survey No. COS-0910-4 approved; Easement No. E-0910-49 was accepted and the filing of Norman Rural Certificate of Survey No. COS -0910-4 and Easement No. E-0910-49 with the Cleveland County Clerk was directed.

* * * * *

Item 11, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0405-127: A LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE NORMAN YOUTH SOCCER ASSOCIATION, INC., EXTENDING THE LEASE FOR A PERIOD OF FIVE YEARS FOR THE USE OF THE GRIFFIN COMMUNITY PARK SOCCER COMPLEX.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0405-127 extending the lease agreement with the Norman Youth Soccer Association, Inc., for the use of the Griffin Community Park Soccer Complex until March 22, 2015, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated February 5, 2010, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
- 2. Amendment No. One to Contract No. K-0405-127
- 3. Location map

and the question being upon approving Amendment No. One to Contract No. K-0405-127 extending the lease agreement with the Norman Youth Soccer Association, Inc., for the use of the Griffin Community Park Soccer Complex until March 22, 2015, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0405-127 extending the lease agreement with the Norman Youth Soccer Association, Inc., for the use of the Griffin Community Park Soccer Complex until March 22, 2015, approved; and the execution thereof was authorized.

* * * * *

Item 12, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-0910-45 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STANDARD ROOFING COMPANY, INC, FOR THE NORMAN PUBLIC LIBRARY ROOF PROJECT.

Councilmember Kovach moved that the project be accepted and final payment in the amount of \$185,953.75 to Standard Roofing Company, Inc., be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated February 11, 2010, from Brenda Hall, City Clerk, and Matthew T. Smith, Facility Maintenance Superintendent, to the Honorable Mayor and Councilmembers
- 2. Invoice No. 10463 dated December 18, 2009, from Standard Roofing Company, Inc., to Matthew Smith, City of Norman in the amount of \$185,953.75
- 3. Before and after comparison photographs
- 4. Purchase Order No. 177094 dated August 27, 2009, in the amount of \$743,815 subtracting partial payments totaling \$557,861.25 leaving a balance of \$185,953.75

Participants in discussion

- 1. Ms. Brenda Hall, City Clerk

and the question being upon accepting the project and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the project accepted; and final payment in the amount of \$185,953.75 to Standard Roofing Company, Inc., was directed.

* * * * *

Item 13, being:

CONTRACT NO. K-0910-140: A LEASE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NORMAN AMATEUR SOFTBALL FOUNDATION, INC., FOR THE USE OF THE REAVES PARK SOFTBALL COMPLEX FOR A PERIOD OF FIVE YEARS AND TERMINATION OF CONTRACT NO. K-0708-112 WITH REAVES PARK SOFTBALL ASSOCIATION.

Councilmember Kovach moved that Contract No. K-0910-140, a lease agreement with Norman Amateur Softball Foundation, Inc., for a period of five years and termination of Contract No. K-0708-112 with Reaves Park Softball Association be approved and the execution of Contract No. K-0910-140 be authorized, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated February 1, 2010, from Jud Foster, Director of Parks and Recreation, to Honorable Mayor and City Councilmembers
- 2. Location map
- 3. Contract No. K-0910-140 with Exhibit A, Responsibilities of Norman Amateur Softball Association, and Exhibit B, Responsibilities of the City of Norman
- 4. Contract No. K-0708-112 with Exhibit A, Responsibilities of Reaves Park Softball Association, Inc., and Exhibit B, Responsibilities of the City of Norman
- 5. Pertinent excerpts from Board of Parks Commissioners minutes of January 7, 2010

Item 13, continued:

and the question being upon approving Contract No. K-0910-140, a lease agreement with Norman Amateur Softball Foundation, Inc., for a period of five years and termination of Contract No. K-0708-112 with Reaves Park Softball Association and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-0910-140, a lease agreement with Norman Amateur Softball Foundation, Inc., for a period of five years and termination of Contract No. K-0708-112 with Reaves Park Softball Association approved; and the execution thereof of Contract No. K-0910-140 was authorized.

* * * * *

Item 14, being:

CONTRACT NO. K-0910-143: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE 89ER DAY PARADE COMMITTEE IN THE AMOUNT OF \$5,000 FOR COSTS ASSOCIATED WITH THE 89’ER DAY PARADE TO BE HELD APRIL 24, 2010.

Councilmember Kovach moved that Contract No. K-0910-143 with the 89er Day Parade Committee in the amount of \$5,000 be approved and the execution thereof be authorized; which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated February 8, 2010, from Kathryn L. Walker, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
- 2. Letter dated February 5, 2010, from Charles R. Hollingsworth, for the 89’er Day Committee, to Brenda Hall, City Clerk
- 3. Contract No. K-0910-143
- 4. 89’er Day Parade 2010 Committee Working Budget
- 5. Purchase Requisition No. 0000167979 dated February 17, 2010, to 89’er Day Parade Committee in the amount of \$5,000

and the question being upon approving Contract No. K-0910-143 with the 89er Day Parade Committee in the amount of \$5,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Chairman declared the motion carried and Contract No. K-0910-143 with the 89er Day Parade Committee in the amount of \$5,000 approved; and the execution thereof was authorized.

* * * * *

Item 15, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER REGARDING TONY STEVENS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2009-10089 Y.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Atkins;

Item 15, continued:

1. Memorandum dated February 9, 2010, from R. Blaine Nice, and Rebecca R. Frazier, Assistant City Attorneys, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Workers' Compensation Court Order No. WCC 2009-10089Y filed February 8, 2010
3. Purchase Requisition No. 0000167642 dated February 9, 2010, in the amount of \$23,861.70 to Tony Stevens and Richard A. Bell
4. Purchase Requisition No. 0000167643 dated February 9, 2010, in the amount of \$991.80 to Workers' Compensation Administration Fund Tax
5. Purchase Requisition No. 0000167644 dated February 9, 2010, in the amount of \$371.93 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000167745 dated February 9, 2010, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000166747 dated February 9, 2010, in the amount of \$119.30 to Cleveland County Court Clerk

Participants in discussion

1. Ms. Sylvia Martin, Post Office Box 430, asked questions
2. Mr. Jeff Bryant, City Attorney

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith Kovach, Quinn, Mayor Rosenthal
-------	---

NAYES:	None
--------	------

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims which will constitute judgment against the City of Norman was directed.

* * * * *

Item 16, being:

CONSIDERATION OF RESOLUTION NOS. R-0910-89, R-0910-90, AND R-0910-91 PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA SAFETY (STP/UZA SAFETY) FUNDS FOR LIGHTING, SIGNALIZATION, AND PAVEMENT MARKING IMPROVEMENTS ALONG VARIOUS CITY OF NORMAN STREETS.

RESOLUTION NO. R-0910-89: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA SAFETY (STP/UZA-SAFETY) FUNDS FOR THE INSTALLATION OF CONTINUOUS ROADWAY LIGHTING ALONG MAIN STREET WEST OF MERKLE DRIVE TO UNIVERSITY BOULEVARD.

RESOLUTION NO. R-0910-90: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA SAFETY (STP/UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES (L.E.D. DISPLAYS AND POWER BACK-UP UNITS) AT VARIOUS INTERSECTIONS CITYWIDE.

RESOLUTION NO. R-0910-91: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA SAFETY (STP/UZA-SAFETY) FUNDS FOR THE INSTALLATION OF THERMOPLASTIC PAVEMENT MARKINGS AT VARIOUS LOCATIONS CITYWIDE.

Councilmember Kovach moved that Resolution No. R-0910-89 be adopted, which motion was duly seconded by Councilmember Atkins;

Item 16, continued:

Items submitted for the record

- 1. Memorandum dated January 25, 2010, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
- 2. Table of Programming Resolution Requesting Federal Funds, City of Norman
- 3. Resolution No. R-0910-89
- 4. Location map

Participants in discussion

- 1. Mr. Shawn O’Leary, Director of Public Works

and the question being upon adopting Resolution No. R-0910-89, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-89 was adopted.

Thereupon, Councilmember Kovach moved that Resolution No. R-0910-90 be adopted, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated January 25, 2010, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
- 2. Table of Programming Resolution Requesting Federal Funds, City of Norman
- 3. Resolution No. R-0910-90
- 4. Location map

Participants in discussion

- 1. Mr. Shawn O’Leary, Director of Public Works
- 2. Mr. Phillip Reed, 407 Toberman Drive, made comments

and the question being upon adopting Resolution No. R-0910-90, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-90 was adopted.

Thereupon, Councilmember Kovach moved that Resolution No. R-0910-91 be adopted, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated January 25, 2010, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
- 2. Table of Programming Resolution Requesting Federal Funds, City of Norman
- 3. Resolution No. R-0910-91
- 4. Location map

Participants in discussion

- 1. Mr. Shawn O’Leary, Director of Public Works

and the question being upon adopting Resolution No. R-0910-91, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-91 was adopted.

The Mayor requested and Council concurred that Item 17 be considered prior to the Consent Docket.

* * * * *

Item 18, being:

RESOLUTION NO. R-0910-94: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACKNOWLEDGING RECEIPT OF THE AMENDED EMERGENCY OPERATIONS PROCEDURE AND ALERTING CITIZENS TO THE APPROACH OF THE SPRING STORM SEASON.

Councilmember Kovach moved that Resolution No. R-0910-94 be adopted, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Memorandum dated February 15, 2010, from James Fullingim, Fire Chief, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0910-94 with Annex C, as amended

Participants in discussion

- 1. Mr. James Fullingim, Fire Chief
- 2. Mr. Matthew Biddle, 532 West Symmes Street, made comments
- 3. Mr. Bobby Stevens, 3801 108th Avenue S.E., made comments

and the question being upon adopting Resolution No. R-0910-94, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-94 was adopted.

* * * * *

Item 19, being:

CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR HIGHLAND VILLAGE ADDITION.

Councilmember Kovach moved that the revised preliminary plat for Highland Village Addition be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Memorandum dated February 2, 2010, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Revised preliminary plat
- 4. Staff Report dated November 12, 2009
- 5. Pertinent excerpts from Planning Commission minutes of November 12, 2009

Participants in discussion

- 1. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant

and the question being upon approving the revised preliminary plat for Highland Village Addition, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the revised preliminary plat for Highland Village Addition was approved.

* * * * *

Item 20, being:

ORDINANCE NO. O-0910-19: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF THE PUBLIC UTILITY EASEMENT LYING WITHIN LOT 1, BLOCK 1, FOWLER ADDITION, TO THE CITY OF NORMAN, OKLAHOMA, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (955 INTERSTATE DRIVE)

Ordinance No. O-0910-19 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 9, 2010, Councilmember Kovach moved that Ordinance No. O-0910-19 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Memorandum dated January 27, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
- 2. Ordinance No. O-0910-19 with Exhibit A, legal description and location map
- 3. Location map
- 4. Staff report dated January 14, 2010, recommending approval
- 5. Petition to close a part of a utility easement in Fowler Addition dated December 11, 2009
- 6. Pertinent excerpts from Planning Commission minutes of January 14, 2010

Participants in discussion

- 1. Mr. Harold Heiple, 218 East Eufaula, attorney representing the applicant

and the question being upon adopting Ordinance No. O-0910-19 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
-------	--

NAYES:	None
--------	------

The Mayor declared the motion carried and Ordinance No. O-0910-19 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-0910-19 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Cubberley; and the question being upon adopting Ordinance No. O-0910-19 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
-------	--

NAYES:	None
--------	------

The Mayor declared the motion carried and Ordinance No. O-0910-19 was adopted upon Final Reading as a whole.

* * * * *

MISCELLANEOUS DISCUSSION

Traffic Calming Budget Cuts. Mr. George Eyler, 201 Overton Drive, read from an article published in the Norman Transcript regarding traffic calming budget cuts and said the article quoted the Mayor's comments about budget cuts for the Traffic Calming where she referenced a neighborhood requesting speed humps because there had been a fatality of a child by a speeding vehicle. He asked the City Manager for a copy of the traffic report for this fatality.

Mr. Shawn O'Leary, Director of Public Works, said the location was on Morren Drive east of 12th Avenue N.E. but the petition for traffic calming had not been solely based on the accident although it was taken into consideration. He said the neighborhood had qualified for traffic tables due to a high number of speeding vehicles and were presently collecting names on the petition after having a neighborhood meeting to discuss possible remedies.

Miscellaneous Discussion, continued:

Traffic Calming Budget Cuts, Continued. Mr. Eyler said he had been asked to sign the petition in favor of installation of speed bumps on Morren Drive and he had refused. He said he had a police report that stated the young man on the bicycle had been struck by a vehicle traveling approximately 17 miles per hour. He said he had resided in the neighborhood for more than 37 years, traffic had not been a problem there, and there had only been a few accidents. He asked Councilmember Griffith to look into the situation.

Mayor Rosenthal said that Council did not select particular projects for speed tables and there was a policy in place. She and Councilmembers Cubberley and Dillingham had proposed a cutback of the program for the current year and Staff has recommended a moratorium on the Traffic Calming Program. She said Council will be considering appropriate traffic calming measures for the next fiscal year. She said her quote in the newspaper was to make the point that before the program is totally suspended, public safety needed to be taken into consideration.

Councilmember Griffith said he would like to visit with Mr. Eyler after tonight's meeting.

*

Public Records. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he was glad the website was up and that meetings were open to the public. He said he had requested records from Cleveland County and after 28 days had not received the items which were related to bids for wrecker service. He said he had received a letter denying him these records and felt it would be very informative to have some type of seminar regarding the Open Records Act and the Open Meetings Act to educate the public. He said he thought the wrecker contract was unfair and that citizens should be aware of it. He said he had to go to the County to get requested records because he was unable to get anything from the County website.

*

Propositions on March 2, 2010, Bond Issue. Ms. Sylvia Martin, Post Office Box 430, said she scans legal notices in the newspaper which provide information about bids, contracts, bond issues, etc. She said the legal notices publish propositions for upcoming elections which is a requirement by law. She said Proposition One is street and road projects and has been broken down to rural road improvements, urban asphalt pavement rehabilitation, concrete pavement rehabilitation, and road reconstruction. She said Hayes, Mosier, and Himes Streets east of Flood Avenue are scheduled for reconstruction and these were dead-end streets. She asked if these streets would eventually be connected to James Garner Avenue and why is the City investing so much money on dead-end streets. She urged citizens to read these notices to become informed about the upcoming bond election.

Mr. Shawn O'Leary, Director of Public Works, said the 2005 Bond Election did not include street reconstruction. He said Council directed staff to include an element for roadway reconstruction because those streets are in the worst condition in the City and there have been no improvements. He said the Pavement Management System had been used to select the streets that were in the worst condition and needed to be replaced. He said these three streets are almost impassable and in terrible condition.

Ms. Martin said she had asked when the rehabilitation started and Mr. O'Leary had called her and explained the whole system. She was shocked to see the reconstruction portion included in the Bond Issue.

Ms. Ann Gallagher, 1522 East Boyd Street, said she appreciated the Fire Chief sharing the plan for the sirens. She said if the sirens are placed first on the existing poles, there will be a very large area on the east side of town that has no coverage. She asked that her concerns be considered.

Mayor Rosenthal said Ms. Gallagher's input was helpful and if the election was successful, the order of placement given to the contract would be considered.

Mr. Jim Stanley, 3922 Pine Tree Circle, said he had determined that most of the street improvements being done is repair work and if that was the case, payment would not start for five years making the interest higher. He said the money should be collected before the work is done instead of using bonds because that was very expensive.

Miscellaneous Discussion, continued:

Propositions on March 2, 2010, Bond Issue, Continued. Councilmember Cubberley said five years ago a street rehabilitation project was presented to voters and there was a set amount for roads but neighborhood streets were not part of it. He said the bigger projects were funded because they were needed but they took up most of the money. He said the streets in 2005 were based upon the Pavement Management Study to be paid for within 5 years using bonds; however, the worst roads were not addressed because they had to be totally rehabilitated. He said the roads selected were to be redone to extend their life another ten to fifteen years. He said this time the bond issue included approximately \$21 million in road projects with \$4 million allotted to reconstruction of some of the neighborhood streets because they are beyond minor repairs. He said the worst roads are being addressed as well as minor road repairs and although \$4 million will not take care of all the problems, it will be a start. He said he hoped the voters have seen that Council and Staff has done what they said they would do with the money and because of the excellent prices during the last 18 months, dollars have been extended further. He said he hoped the voters will vote for the projects.

Councilmember Quinn reminded voters that the election was Tuesday, March 2, 2010, and encouraged them to vote.

Mr. Steve Lewis, City Manager, said he would like to clarify some of the questions regarding the General Obligation Bond Election on March 2, 2010. He said over the last few weeks, he and Mr. Shawn O'Leary, Director of Public Works, and Mr. James Fullingim, Fire Chief, had an opportunity to present both propositions to service clubs and other interested groups. He said legal notices were just one avenue to alert voters about a coming election. The City prepared a public information brochure mailed to Norman voters to provide information about both propositions and the Website also contained information about the election. He said there was a section of Frequently Asked Questions (FAQ) such as locations of the proposed storm siren system located throughout the City and a list and maps of specific streets included in both the reconstruction and resurfacing projects. He encouraged voters to familiarize themselves with the materials and to vote.

Mr. James Fullingim, Fire Chief, said the zoning capabilities are a polygon with the National Weather Service Warning System. He said the polygons actually show a specific area that the storm is likely to affect and the new system proposed will give the capability to warn segments of the community. He said Norman is 196 square miles and it is quite possible a tornado could threaten a part of the community but not the entire community, we try to avoid false alarms, and the ability to isolate certain areas is a big aspect of this program. He said he expected this to be a solution to the outdoor warning program for the next 20 to 30 years. He said the sirens to be replaced were 30 to 40 years old and those that were 6 to 7 years old will be reused. He said the current system covers the more populated areas of central Norman but the proposed system will comprehensively cover the entire City of Norman and that wind direction can impact how far the signal travels.

Mr. Shawn O'Leary, Director of Public Works, said the Pavement Management System which was officially adopted between 1999 and 2000 is a very objective system of rating the condition of our street network over a five-year cycle. He said every street is analyzed, inspected, and rated on a scale of 1 to 100 and that some of the less deteriorated streets are selected because less money is required to increase their life expectancy. He said if the street is not on the list of street to be reconstructed with the bond project, there are other street maintenance programs through capital and operating funds that will continue to be done throughout the City.

*

Mayor's Citizenship Awards. Mr. Matt Zellner, 105 East Vida Way, applauded the recognition of students with Mayor's Citizenship Awards.

Councilmember Griffith said the students from Eisenhower Elementary School receiving Citizenship Awards this evening were a point of pride for Ward Six and he was grateful to be a part of the presentation.

*

Funding for Non-Profit Agencies. Mr. Matt Zellner, 105 East Vida Way, expressed concerns over struggling non-profit organizations and encouraged Council to continue to support these organizations during budget discussions.

Mayor Rosenthal suggested Mr. Zellner follow-up with Linda Price, Revitalization Manager, or Susan Connors, Director of Planning and Community Development, regarding Community Development Block Grant funds that were also provided to non-profits.

*

Miscellaneous Discussion, continued:

Facility on Water Reuse. Councilmember Atkins said he went to Dallas on Monday, February 22, 2010, with Staff members to tour the North Texas Water Management District operation to gain information about water reuse which was being discussed in the Water Forum Series. He said the tour had been very informative and this appears to be a viable option as the City moves forward.

*

Correction to Article in Norman Transcript. Councilmember Kovach said he had recently been quoted in an article about Speed Tables and he had spoken in error when he gave the number of 3,000 shifts instead of 300 shifts.

*

Recession in Oklahoma. Councilmember Kovach said he recently attended a meeting in Oklahoma City where Oklahoma’s representative to the Oklahoma Reserve Board had spoken about the economic outlook for Oklahoma. He said the speaker spoke about Oklahoma coming into recessions late and leaving late usually with a two quarter lag time. He said it was anticipated that this time there would be a three quarter lag time. He said Council will hope for the best but plan for the worst while crafting the budget for the next fiscal year as the State is looking at less money to spend this year than last which will impact jobs in Norman.

Councilmember Quinn said because of these issues, it was important now more than ever to “Shop Norman” to support our neighbors and ourselves.

*

Water Forum Series. Councilmember Dillingham asked citizens to continue to be part of the upcoming Water Forum Series and was delighted with the level of discussion among the citizens.

Mayor Rosenthal announced that Water Forum Series 5 will be March 4, 2010, at 6:00 p.m. in City Council Chambers.

*

Public Safety Sales Tax. Mayor Rosenthal said the question had been asked why the City was not using reserve funds from the Public Safety Sale Tax to fund the outdoor warning system. She said there are certain things that have been promised from the sales tax, the hiring of 40 police officers, 30 firefighters, and the construction of two fire stations and equipment related thereto. She said it was important to remember that this temporary sales tax was for seven years. She said the question had been asked during crafting of the ordinance what happen if there was a delay of renewal of the sales tax in year seven and the answer would be that people’s jobs would be at risk. She said it is prudent to be cautious about the expenditure of the Public Safety Sale Tax on things that are not promised in the fundamental ordinance although it was tempting to spend the money on something that seems like a good idea when there are revenues accruing. She had Council had a commitment to the citizens of Norman to deliver on our promises. She said Council needs to look out for the employees that we hire to protect our community because we could come up short in year seven and not have voter approval to continue the resources to continue the program.

* * * * *

ADJOURNMENT

There being no further business, Councilmember Quinn moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 8:15 p.m.

ATTEST: